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Art Unit 3721

Examiner Paul R. Durand

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth Kutner

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20231, on 11/29/04
Dated 11/29/04 By Charles Durand

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SIR:

Responsive to office letter dated October 20, 2004. It is respectfully submitted that the original claims 1-3 are directed to allowable subject matter without amendment.

CLAIM REJECTIONS – SECTION 102

Examiner has rejected claim 1 under Section 102 (b) as being anticipated by Akoh et al (US 4,089,256). Examiner has stated that Akoh discloses the invention as claimed including filling stations 52, a stack of collapsible containers 22, plastic bag liners 48, placing the liner in the container, filling the container with material from station 52, and closing the container.

What Akoh does not disclose is step (d) of serially placing said collapsed containers in erected condition beneath said hopper. Akoh contemplates an assembly line using relatively small containers which package goods for retail distribution.